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Docket No.: 20350 US1 (C038435/0128572)

**REPLY UNDER  
37 CFR § 1.116**  
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**EXPEDITED PROCEDURE**  
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**TECHNOLOGY CENTER 1600**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Application of: )  
Tatsuo HOSHINO *et al.* ) Examiner: Maryam Monshipouri  
Serial No.: 10/066,007 ) Art Unit: 1652  
Filed: February 1, 2002 )  
For: **ASTAXANTHIN SYNTHASE** )

New York, New York  
May 26, 2005

**RESPONSE TO OFFICE ACTION UNDER 37 CFR § 1.116**  
**INCLUDING AMENDMENT AND PETITION FOR EXTENSION OF TIME**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed December 22, 2004, which set a three-month shortened statutory period for response. A three-month extension of time to respond to the Office Action is hereby requested. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before June 22,

2005. 37 CFR §§ 1.8 and 1.136. Enclosed is a check in the amount of \$1,020.00 to

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Application No.: 10/066,007  
Amendment Dated: May 26, 2005  
Reply to Office Action Dated: December 22, 2004

cover the fee for the extension of time. Please charge any required extension-of-time fees not otherwise paid by check to Deposit Account No. 02-4467. Also, please charge any other required fees to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Because the Office Action made the rejection of the pending claims final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8<sup>th</sup> Ed., Rev. 2, May 2004, pp. 700-227 to 700-228) respectfully is solicited.

Please amend the application as follows:

**AMENDMENTS TO THE SPECIFICATION:** none.

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims, which begins on page 3 of this paper.

**AMENDMENTS TO THE DRAWINGS:** none.

**REMARKS** begin on page 8 of this paper.